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15 **UNITED STATES DISTRICT COURT**

16 **SOUTHERN DISTRICT OF CALIFORNIA**

17 THE LARYNGEAL MASK COMPANY LTD.
and LMA NORTH AMERICA, INC.

18 Plaintiffs

19 v.

20 AMBU A/S, AMBU INC., AMBU LTD., and
21 AMBU SDN. BHD.,

22 Defendants.

23 AMBU, INC.

24 Counterclaimant,

25 v.

26 THE LARYNGEAL MASK COMPANY LTD.
27 and LMA NORTH AMERICA, INC.

28 Counter-Defendants.

Case No.: 07cv1988 DMS (NLS)

**JOINT MOTION FOR ENLARGEMENT
OF TIME TO RESPOND TO FIRST
AMENDED COMPLAINT**

Judge: Hon. Dana M. Sabraw
Courtroom: 10

1 Plaintiffs and Defendants AMBU A/S, AMBU LTD. and AMBU SDN. BHD., through
2 counsel, jointly move for an enlargement of time for Defendants, AMBU A/S, AMBU LTD. and
3 AMBU SDN. BHD. to answer or otherwise respond to the First Amended Complaint. The reason
4 for this enlargement is that AMBU A/S, AMBU LTD. and AMBU SDN. BHD. request more time
5 to prepare their response.

6 The Complaint in this action was filed on October 15, 2007 [Docket no. 1]. A First
7 Amended Complaint was filed on October 17, 2007 [Docket no. 4]. The First Amended
8 Complaint was served on AMBU, INC. on October 18, 2007 [Docket no. 6]. AMBU, INC. filed
9 an answer and counterclaim on December 15, 2007 [Docket no. 15].

10 On October 29, 2007, Plaintiffs filed a motion for an order requesting the Clerk of the
11 Court to effect foreign service by mail pursuant to Federal Rule of Civil Procedure 4(f)(2)(C)(ii)
12 and 4(h)(2) on Defendant AMBU SDN. BHD. [Docket no. 5]. Plaintiffs served AMBU SDN.
13 BHD and are attempting to serve AMBU A/S and AMBU LTD. Counsel for Defendants agreed to
14 accept service of the First Amended Complaint and Summons on behalf of Defendants AMBU
15 A/S and AMBU LTD. effective January 8, 2008.

16 Counsel stipulated that the Defendants AMBU A/S, AMBU LTD and AMBU SDN. BHD.
17 may have until January 31, 2008 to answer or otherwise respond to the First Amended Complaint.

18 On December 6, 2007, Plaintiffs filed a motion to disqualify Defendants' counsel,
19 Finnegan Henderson Farrabow Garrett & Dunner, LLP [Docket no. 17]. Defendants acknowledge
20 and agree that, by stipulating to this Joint Motion for Enlargement of Time, Plaintiffs are not
21 waiving or in any way diminishing any rights or remedies they may have with respect to their
22 pending motion to disqualify the firm of Finnegan, Henderson, Farabow, Garrett & Dunner, LLP.
23 By stipulating to this Joint Motion, Defendants AMBU, INC. AMBU A/S, AMBU LTD. and
24 AMBU SDN. BHD. do not concede there is any basis to disqualify their counsel.

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1 For the reasons stated, the parties respectfully request that the Court grant this joint
2 motion for enlargement of time for Defendants AMBU A/S, AMBU LTD. and AMBU SDN.
3 BHD. to answer or otherwise respond to the First Amended Complaint.

4 A proposed Order is submitted herewith.

5 FINNEGAN HENDERSON FARABOW
6 GARRETT & DUNNER, LLP
7 and
8 WRIGHT & L'ESTRANGE
9 Attorneys for Defendants

10 DATED: January 8, 2008

11 By: s/John H. L'Estrange, Jr.
12 E-mail: jlestrange@wllawsd.com

13 SHEARMAN & STERLING
14 and
15 KNOBBE, MARTENS, OLSON & BEAR, LLP
16 Attorneys for Plaintiffs

17 DATED: January 8, 2008

18 By: s/Frederick S. Berretta
19 E-mail: fberretta@kmob.com

CERTIFICATE OF SERVICE
THE LARYNGEAL MASK COMPANY LTD. v. AMBU, et al.
U.S. District Court, Southern District, Case No. 07cv1988 DMS (NLS)

I, the undersigned, declare under penalty of perjury that I am over the age of eighteen years and not a party to this action; my business address is 401 West A Street, Suite 2250, San Diego, California 92101; and that I served the below-named persons the following documents:

JOINT MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO FIRST AMENDED COMPLAINT

in the following manner:

1. By placing a copy in a separate envelope, with postage fully prepaid, for only persons as indicated below and depositing each in the U.S. Mail at San Diego, California, on the date of this declaration.

2. By placing a copy in a separate Federal Express envelope, addressed to the addressee(s) named below. I am readily familiar with the practice of this firm for collection and processing of correspondence by Federal Express. Pursuant to this practice, correspondence would be deposited in the Federal Express box located at 401 West A Street, San Diego, California 92101, in the ordinary course of business on the date of this declaration.

3. By transmitting the document(s) via facsimile on the date of this declaration to only those persons as indicated below and that the transmission was reported as complete and without error. The phone number of the transmitting facsimile machine is (619) 231-6710.

4. xx By transmitting the document(s) via Notice of Electronic Filing through CM/ECF on the date of this declaration to those persons as indicated below.

The addressee(s) is (are) as follows:

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I declare that I am member of the bar of this court at whose direction the service was made. Executed on January 8, 2008.

s/John H. L'Estrange, Jr.
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